

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

KEITH ROBERTS,

Plaintiff,

v.

Case No. 11-C-971

MICHAEL ASTRUE,

Defendants.

ORDER

Plaintiff has requested leave to proceed *in forma pauperis*, pursuant to 28 U.S.C. § 1915. I initially denied Plaintiff's first motion on the grounds that the affidavit he filed suggested that he could afford the filing fee. He has since submitted a new application that lists \$1,976 in monthly expenses, which is a \$1,776 increase from the amount listed on his first application. The monthly expenses claimed appear large when one considers that there are no dependents and no housing expenses. The application includes expenses for "repairs" and "home repairs," even though Plaintiff states that he does not own his own home. It also lists \$950 for food, clothing and transportation. The original affidavit claimed \$50 for clothing and \$100 for food. Plaintiff is not employed, and so it is difficult to envision a need to spend significant money, much less \$800, on transportation, especially when Plaintiff owns his own truck. Clothing expenses should not be substantial for an adult man in rural Wisconsin. In addition, Plaintiff subscribes to cable television.

Even if the newly listed expenses are accurate, they are far in excess of the expenses typically seen for someone claiming IFP status. Like any other voluntarily incurred expense, the

payment of a court filing fee should be part of one's budgeting process in which an individual weighs the costs versus the benefits of incurring the expense. The taxpayer cannot be expected to subsidize a federal lawsuit when a would-be plaintiff spends money on cable television and other expenses in excess of what is common.

The motion for IFP status is **DENIED**. Instead of requiring immediate payment, however, the filing fee may be paid within 90 days of the date of this order or the case will be subject to dismissal.

SO ORDERED this 31st of October, 2011.

s/ William C. Griesbach
William C. Griesbach
United States District Judge